

BATON ROUGE POLICE DEPARTMENT

General Order
No.132

Effective Date
12-01-1998

Revised Date
6-30-2020

Subject: Firearms

Reviewed 6/11/20

POLICY

It is the policy of the Department to establish controls over the types of weapons carried by police employees and to enumerate guidelines for the proper use of weapons. Employees will only carry and use firearms and ammunition issued or approved by the department. After April 1, 2001, no substitute weapons will be allowed.

All employees must demonstrate proficiency by completing an approved qualification course each year. Qualification will be monitored by Louisiana Police Officer Standards and Training (POST) certified instructors. A record will be maintained on all firearms used and approved by the department.

PROCEDURES

I. Side Arms (Pistols)

- A. The primary side arms of the Baton Rouge Police Department is the Glock 9 millimeter semi-automatic pistols. Employees may carry a secondary weapon as specified hereafter.
- B. Uniform and plainclothes employees must carry one of the following issued departmental weapons.
 - 1. Glock 17, 19, 19X, 26, 34, 43, 43X, 45, and 48, or 48X series, 9mm safe action weapons
 - 2. Reflex sights or Red Dot sights will only be issued by the Firearms Training Unit to specific specialized divisions authorized by the Chief of Police. If an officer wishes to carry a Reflex or Red Dot sight they must purchase an approved Glock 9mm with the correct slide cut out for the Reflex/ Red Dot sight approved by the Firearms Training Unit. Officers must also purchase their own holster with triple threat retention.
 - 3. Officers must attend an 8 hour training program prior to carrying a Reflex/ Red Dot sight, the Firearms Training Unit will provide training.
 - 4. Any other weapon approved by the Department.
- C. Undercover employees may be allowed to carry other weapons instead of the primary side arm with the approval of the Chief of Police.
 - 1. All requests must be made through the chain of command to the Chief of Police. A copy of the request should be sent to the firearms training unit.
 - 2. Employees granted approval must qualify with the weapon before they carry it.
 - 3. The qualifying courses for non-standard weapons are developed according to the limitations of these weapons by the firearms training unit.

II. Shotguns

- A. The primary shotgun for the Department is the Remington 870 12-gauge shotgun.

BATON ROUGE POLICE DEPARTMENT

General Order
No.132

Effective Date
12-01-1998

Revised Date
6-30-2020

Subject: Firearms

Reviewed 6/11/20

- B. Shotguns will be carried in the passenger or trunk compartment of the unit while it is in service and must always be available for use and/or inspection.
- C. The shotgun will have shells in the magazine. The chamber will be empty. The safety shall remain on while stored in the vehicle. Once a shell is loaded into the chamber, the safety should be on unless the shotgun is to be used immediately. Employees that qualify with "00" buckshot, will use only issued "00" buckshot. Employees that qualify with slugs rifled slugs, will be issued rifled slugs.
- D. All employees must qualify annually with their departmental shotguns.

III. Secondary Weapons (Off-Duty/Back-up)

- A. A secondary weapon is defined as a handgun other than the employee's primary side arm. The commander of the firearms training unit will keep the description and serial numbers of all secondary weapons approved by the department on file.
- B. Employees may be allowed to carry secondary weapons after demonstrating proficiency by completing an approved qualification course. The caliber of the weapon and type of ammunition must be approved by the department. All weapons must be capable of being fully concealed and have double-action first shot capability. However, employees who have previously qualified with other types of single-action semi-automatic pistols, prior to the issuance of this policy, are authorized to continue carrying the weapon. The following weapons are authorized by the department:
 - 1. .38 special and .357 caliber revolvers.
 - 2. 9mm, 380, .40, and .45 caliber semi-automatic pistols.
- C. The commander of the firearms training unit will determine whether or not the weapon or the employee carrying the weapon is approved.
- D. All secondary weapons must meet factory specifications. No after-market parts will be allowed. The firearms training instructors will inspect all secondary weapons during the employee's annual qualification. Any weapon determined to be unsafe will not be carried until repaired and re-inspected.
- E. Employees must use only factory service ammunition consistent with the type of weapon carried and specified by the department. The use of re-loaded ammunition, exploding ammunition, armor piercing ammunition and training ammunition (wadcutter and semi-wadcutter) is expressly prohibited. Employees will supply their own ammunition.

BATON ROUGE POLICE DEPARTMENT

General Order
No.132

Effective Date
12-01-1998

Revised Date
6-30-2020

Subject: Firearms

Reviewed 6/11/20

IV. Maintenance

- A. Only an armorer assigned to the firearms training unit will repair or maintain city-owned weapons. The commander of the firearms training unit will keep records of any repair or routine maintenance performed.
- B. Each time an employee completes his or her annual qualification their weapon will be inspected by an instructor. If any defect is found repairs will be performed or another weapon issued prior to the officer leaving the range.
- C. Any alterations or additions to firearms are prohibited. This includes polishing internal or external parts, the use of trigger shoes, or after market parts. An employee may change grips for a pair more compatible with his or her hand size. The original grips must be replaced when the weapon is returned.

V. Carrying and Storage of Weapons

- A. Firearms will be kept clean and in serviceable condition and are subject to inspection by the shift supervisor or the firearms training unit.
- B. Firearms should be properly secured at all times when not worn. Weapons will not be left in unattended vehicles unless the doors are locked and the weapon is hidden from view. No weapons will be left in the passenger compartment while an employee is off-duty. Whenever the assigned unit is left for repairs or servicing, all firearms must be removed; they will not merely be moved to the trunk compartment.
- C. All side arms should be secured in the holster, fully loaded and in battery. Each time an employee relinquishes possession of their weapon (e.g. during booking, or for repair) it will be checked to assure it is his or hers and it is in battery.
- D. Employees will not display their weapons unnecessarily or inappropriately or handle them in a careless or imprudent manner.
- E. The Pistol Range will issue and store the following weapons when not in use: Side Arms (Pistols), Shotguns, Bean Bag Shotguns, and Patrol Rifles. The Academy Staff member will issue and store TASERS, and TASER cartridges. SRT will issue and store all SRT weapons. All weapons will be stored unloaded in a safe or vault at those facilities. The Pistol range will also issue and store ammunition for handguns, shotguns, and rifles.
- F. Storage of all 1033 Firearms (Military Surplus Firearms) must have two (2) levels of security.
 - 1. Storage of firearms in units (Acceptable Examples)
 - a. Storing in a locked gun rack inside a locked unit.

BATON ROUGE POLICE DEPARTMENT

General Order
No.132

Effective Date
12-01-1998

Revised Date
6-30-2020

Subject: Firearms

Reviewed 6/11/20

- b. Storing in a locked gun box inside a locked unit or locked trunk area of the vehicle.
 - c. Storing in a locked trunk area and parking the unit inside a locked garage area of the home.
- 2. Storage of firearms in residence (Acceptable Examples)
 - a. Storing in a locked gun safe inside the locked residence. (Not just merely placing the firearm in a locked residence.)
 - b. Securing the weapon to a fixed object (Something secure inside the residence) with gunlock or locked chain.

VI. Qualification

- A. The Chief of Police shall appoint an employee to supervise the Pistol Range. It will be his or her responsibility to document the training and certify the competence of employees to carry firearms.
- B. Employees will be issued copies of and instructed in the policies regarding use of force before being authorized to carry a firearm and annually thereafter.
- C. The department will use the course developed by the La. POST council mandated by state law. All employees must qualify with the primary side arm and any secondary weapons. Qualifying scores for all weapons is 80% or better.
- D. If an employee fails to qualify, he or she must surrender their weapon and assigned police unit to the commander of the firearms training unit. The employee will be reassigned to administrative duties pending successful completion of the course.
 - 1. Employees will be allowed to return on the next available day to qualify. If he or she doesn't qualify, the employee has one week to practice. During this time period remedial instruction will be provided by the firearms training unit. They will return at the end of the week and shoot the qualification course again.
 - 2. If the employees still does not qualify, he or she will have one additional week to practice and return to the range on the second week's end to qualify. Two repeated failures to demonstrate competence/qualify with their departmental firearms will be grounds for disciplinary action and possible dismissal.
 - 3. Effective January 2015, any officer that score less than 105 during the annual POST pistol course in-service training shall attend a mandatory eight-hour remedial handgun course. In addition, to attending the mandated remedial handgun course the officer(s) must also provide documentation detailing participation in firearms practice sessions.
 - 4. If an officer does not fulfill their monthly practice sessions, administrative personnel and their supervisor will be notified. Administrative action will be strongly considered, if a valid documented excuse is not provided.

BATON ROUGE POLICE DEPARTMENT

General Order
No.132

Effective Date
12-01-1998

Revised Date
6-30-2020

Subject: Firearms

Reviewed 6/11/20

5. If any officer continues to score less than 105 after participation in the both the remediation program and firearms practice sessions, additional administrative actions may be considered regarding the officer's performance throughout three (3) consecutive years.

VII. Discharge of Firearms

- A. Employees will not discharge issued firearms unless the use of deadly force is justified. Department issued handguns can be discharged at the department's firing range, or any public or private firing range. Department issued rifles will only be discharged at the department's firing range. Qualified secondary weapons, unless used for recreational purposes, are subject to the same restrictions as issued weapons.
- B. Upon the unintentional discharge of the departmental issued weapon, the employee's supervisor shall be notified immediately. He or she will file all necessary written reports as soon as circumstances permit. Failure to file such reports will result in disciplinary action. Employees who are off duty should notify communications and request the appropriate response.
- C. A use of force report will not be required unless the incident constitutes a use of force as defined by departmental policy.
- D. Employees will not fire warning shots.

VIII. Wearing Of Firearms Off-Duty

- A. Employees shall wear an approved and concealed firearm while off-duty and inside the city limits of Baton Rouge at all times except the following:
 1. When the employee is consuming or has recently consumed alcohol or prescription drugs that may impair his or her judgment or ability to react.
 2. When, in the employee's judgment, the weapon cannot be fully concealed and may be unnecessarily displayed causing public alarm.
 3. When, in the employee's judgment, the totality of existing circumstances reasonably indicates that the risk of wearing the firearm outweighs any potential threat.
 4. When prohibited by order of the Chief of Police.
 5. When the employee is suspended or relieved of duty for disciplinary or medical reasons.
- B. This rule requires employees to exercise common sense and reasonable judgment.

IX. Carrying Firearms Out of State

BATON ROUGE POLICE DEPARTMENT

General Order
No.132

Effective Date
12-01-1998

Revised Date
6-30-2020

Subject: Firearms

Reviewed 6/11/20

- A. Qualified, full-duty commissioned members of this Department are authorized to carry a concealed firearm in all other states subject to the following conditions (18 USC § 926B, 18 USC § 926C):
 - 1. The officer shall carry his/her Department identification card whenever carrying such firearm.
 - 2. The officer shall carry his/her current P.O.S.T. Firearms Qualification card.
 - 3. The officer is not the subject of any current disciplinary criminal investigation, suspension from duty, or administrative re-assignment that includes a prohibition from possessing a firearm.
 - 4. The officer may not be under the influence of alcohol or any other intoxicating or hallucinatory drug.
 - 5. The officer shall remain subject to this and all other Department policies (including qualifying and training).
- B. Officers are cautioned that individual states may enact local regulations that permit private persons or entities to prohibit or restrict the possession of concealed firearms on their property, or that prohibit or restrict the possession of firearms on any state or local government property, installation, building, base, or park. Federal authority may not shield an officer from arrest and prosecution in such locally restricted areas.

X. Weapon Use Review Board

- A. The Chief of Police shall appoint and maintain a board to investigate discharges of weapons by members of the department: The commander of the firearms training unit will serve on the board in a non-voting, advisory capacity.
 - 1. The board may call any employee deemed necessary to appear. All members of the department will be required to give testimony to the best of their knowledge in regard to the incident in question.
 - 2. The members of the board will meet as often as necessary so that cases are heard in a timely fashion.
 - 3. The responsibility of the board is to determine whether or not the actions of the employee were justified based on departmental policy. The board will also determine whether policy, training, or equipment failure may have contributed to the circumstances surrounding the discharge. The board will recommend any modifications or changes in such areas to the Chief of Police along with their finding.
- B. The Chief of Police will determine whether or not the weapons discharge was proper considering the totality of the circumstances.